

Attorney Docket No. 5051.461.WO

PCT

IN THE UNITED STATES RECEIVING OFFICE (RO/US)

In re: North Carolina State University
International Application No. PCT/US00/17975
International Filing Date: 30 June 2000
Priority Date: 14 July 1999
For: *Thermal and PH Stable Protein Thickening Agent and Method of Making the Same*

Date: August 21, 2001

Box PCT
Commissioner for Patents
Washington, DC 20231
Attn: RO/US

RESPONSE TO WRITTEN OPINION

Dear Sir:

In response to the Written Opinion dated 22 June 2001 (the Opinion), Applicants offer the following amendments and remarks.

The Opinion states that Claims 1-5 and 15-44 have the requisite novelty, inventive step and industrial applicability to satisfy PCT Articles 33(2)-(4). Claims 6-14 are deemed to lack the requisite inventive step. Applicants have amended Claim 6 on the substitute sheet 29 attached hereto to recite properties of the dry powdered protein product produced by the recited method. Applicants submit that this subject matter now meets the provisions of PCT Article 3¹.

Applicants have also amended Claim 1 on attached substitute sheet 28 to omit the final paragraph thereof. Applicants submit that the recitations of the final paragraph are not required in order that Claim 1 meets the provisions of PCT Articles 33 (2)-(4).²

¹ Applicants note that this subject matter was deemed allowable in the U.S. counterpart to this application, which has issued as U.S. Patent No. 6,261,624.

² Applicants note that this subject matter was also deemed allowable in U.S. Patent No. 6,261,624.

8/22/01

In view of the foregoing, Applicants respectfully request reconsideration of the outstanding issues and the issuance of a favorable International Preliminary Examination Report.

Respectfully submitted,



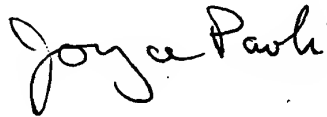
James R. Cannon

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

(Joyce Paoli)

Signature



Date: August 21, 2001